Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

CONFIDENTIAL

PAGE 01 BUCHAR 01356 011452Z
ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 /033 W
----------011508 092242 /53
P 011337Z MAR 77
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC PRIORITY 1831

C O N F I D E N T I A L BUCHAREST 1356

E.O. 11652: N/A
TAGS: EAIR, RO
SUBJECT: US-ROMANIAN BILATERAL AIR AGREEMENT

REF: (A) STATE 022568; (B) BUCHAREST 540

1. SUMMARY. WE CONTINUE TO BELIEVE THAT EXTENSION OF AGREEMENT WITHOUT PRIOR NEGOTIATIONS FAILS TO SEIZE UPON OPPORTUNITY TO DRIVE HOME OUR CONCERNS AND, ACCORDINGLY, INVITES FUTURE PROBLEMS. IF, HOWEVER, BUCHAREST CANNOT BE INTEGRATED INTO MARCH NEGOTIATING PROGRAM, WE URGE THAT EXCHANGE OF NOTES INCLUDE PROVISION FOR SIX-MONTH REVIEW OF EXPERIENCE WITH SALES QUOTA. IN VIEW OF AVOIDABLE TIMING PINCH WE ENCOUNTERED LAST OCTOBER WE ALSO REQUEST THAT DEPARTMENT'S SCENARIO BE GREATLY ACCELERATED TO GIVE GOR MORE TIME TO CONSIDER OUR VIEWS AND TO RESPOND WITH PROPOSALS OF ITS OWN. END SUMMARY.

2. AS WE STATED IN JANUARY (BUCHAREST 540) WE CONTINUE TO FAVOR NEGOTIATIONS PRIOR TO EXTENSION OF AGREEMENT AS PREFERABLE TO SIMPLE EXTENSION. IN FIRST INSTANCE, WE BELIEVE NEGOTIATIONS ARE NEEDED NOW TO DEMONSTRATE STRENGTH OF OUR DETERMINATION THAT SALES QUOTA BE APPLIED IMMEDIATELY AND SCRUPULOUSLY. SECONDLY, WE BELIEVE PROMPT NEGOTIATIONS ARE HIGHLY DESIRABLE TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUCHAR 01356 011452Z

MAINTAIN CONTINUED PRESSURE FOR FULL ROMANIAN IMPLEMENT-ATION OF ART. XIV, ASSUMING THAT IS STILL OUR OBJECTIVE WHICH WE FEEL IT OUGHT TO BE. FINALLY, WE CONSIDER IT WOULD BE EXTREMELY BENEFICIAL TO HAVE WASHINGTON REINFORCE PAN AM AND EMBASSY CONCERNS OVER HISTORY OF LARGELY AIRPORT-RELATED OPERATIONAL PROBLEMS.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

3. CONVERSELY, EXTENDING AGREEMENT WITHOUT PRIOR NEGOTIATIONS INCREASES RISK THAT ROMANIANS WILL UNDER
STIMATE DEPTH
OF OUR CONCERN. WE FEAR THAT THEY WILL DEDUCE FROM OUR PERFUNCTORY TREATMENT OF EXTENSION THAT THEY ARE UNDER NO IMMEDIATE PRESSURE TO ENFORCE SALES QUOTA. UNDER THESE CIRCUMSTANCES NORMAL PROCLIVITY HERE, IF NOT ELSEWHERE, WOULD BE TO TEST LIMITS OF OUR TOLERANCE.

4. WE RECOGNIZE THAT DEPARTMENT'S STAND-BY 60 DAY TERMINATION PROCEDURE IS INTENDED TO FORESTALL ROMANIAN BACKSLIDING AND TO SIGNAL UNMISTAKABLY OUR RESOLVE. IN OUR VIEW, HOWEVER, 60-DAY NOTICE IS APT TO BACKFIRE UNLESS THERE IS ADEQUATE GROUNDWORK, I.E. TO INDUCE CONFRONTATION RATHER THAN PROMOTE DEVELOPMENT OF EQUITABLE AVIATION RELATIONS. BEST WAY TO ENCOURAGE ROMANIAN COMPLIANCE WITH SALES QUOTE IS TO SCHEDULE IN EXCHANGE OF NOTES, WHENEVER THAT TAKES PLACE, INTERGOVERNMENTAL REVIEW OF SALES QUOTA OPERATION IN JULY. THIS REVIEW WOULD BE EXCELLENT FORUM TO DOCUMENT OUR CONCERNS AND WOULD ALLOW ROMANIANS ADEQUATE TIME TO IMPROVE THEIR PERFORMANCE, IF THAT IS REQUIRED. MEETING WOULD ALSO SERVE TO CLARIFY ANY OUTSTANDING ROMANIAN QUESTIONS CONCERNING MODALITIES OF SALES QUOTA, WHICH AS DEPARTMENT IS AWARE, ARE NOT SPELLED OUT IN DETAIL IN TAROM-PAN AM MEMORANDUM OF UNDERSTANDING. IN REVERSE VEIN, WE WILL HAVE PLACED BURDEN FOR PRESERVING BILATERAL SQUARELY UPON GOR.

CONFIDENTIAL

CONFIDENTIAL

5. PROPOSED TIMING FOR PRESENTATION OF DRAFT NOTE RAISES SPECTRE OF ADDITIONAL PROBLEM. WITH SOME JUSTIFICATION ROMANIANS MAY WELL TAKE EXCEPTION TO REPITITION OF LAST OCTOBER'S ELEVENTH HOUR EXTENSION AS TAKING UNDUE ADVANTAGE OF OUR FRIENDLY RELATIONS. ASSUMING, MOREOVER, THAT OUR DRAFT NOTE WILL INCORPORATE SOME MAJOR MODIFICATIONS TO MACOVESCU/KISSINGER LETTER, WE CANNOT BLITHELY ASSUME THAT ROMANIANS WILL SIMPLY ACCEPT OUR DRAFT TEXT AS PRESENTED. ON CONTRARY, IF ROMANIANS BEHAVE TRUE TO FORM, WE CAN ANTICIPATE SOME HAGGLING. IF WE ARE TO AVOID YET ANOTHER SIMPLE EXTENSION WHILE WE DEBATE TERMS OF NOTES, WE SUSPECT THAT WE MUST ALLOW MORE THAN ROUGHLY TWO WEEKS FOR ROMANIAN CONSIDERATION AND NEGOTIATION THAT DEPARTMENT HOPES TO PROVIDE.

6. ACTION REQUESTED. IN SUM, WE REQUEST THAT DEPARTMENT RECONSIDER UTILITY OF NEGOTIATIONS PRIOR TO EXTENSION OF BILATERAL. IF, HOWEVER, NEGOTIATING

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

SCHEDULE PREVLUDES VISIT TO BUCHAREST, THEN WE WOULD
URGE THAT (1) EXCHANGE OF NOTES STIPULATE MID-YEAR
REVIEW OF EXPERIENCE WITH SALES QUOTA AND (2) THAT
DEPARTMENT PREPARE DRAFT NOTE FOR PRESENTATION TO
ROMANIANS BY MIDDLE OF NEXT WEEK.
BARNES

CONFIDENTIAL

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, CIVIL AVIATION, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BUCHAR01356
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770070-0337
Format: TEL
From: BUCHAREST
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197703107/aaaadqdr.tel
Line Count: 122
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b40e28ad-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 22568, 77 BUCHAREST 540
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2954924
Secure: OPEN
Status: NATIVE
Subject: US-ROMANIAN BILATERAL AIR AGREEMENT
TAGS: EAIR, RO, US
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/b40e28ad-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009